

## **REMARKS**

Claims 7-10 and 12-15 are pending. Claims 10, 14 and 15 have been canceled. Claims 7, 12 and 13 have been amended. Claim 7 and 12 were amended to include the limitations of claims 10 and 15. Further amendments to claims 7 and 12 and amendments to claim 13 were done merely to clarify the claims and correct antecedent basis issues pointed out by the Examiner. Therefore, no new matter has been added. Reconsideration of the present application is requested in view of the following remarks.

### **I. Interview Summary**

Applicants acknowledge with appreciation the telephonic Interview between the Examiner and Applicants' representative, Anavelys Ortiz-Suárez, on November 22, 2011. During the interview the Examiner and the Applicants' representative discussed the Advisory Action mailed on November 3, 2011, and possible amendments to the claims.

### **II. Oath or Declaration**

The Examiner indicated that the Oath or Declaration was defective. A new Oath or Declaration was provided in the response filed October 28, 2011.

### **III. Trademarks**

The Examiner objected the specifications for improper use of trademarks. Applicant has amended the specification to correct the format of trademarks. However, Applicant would like to note that "Mimotope" does not appear to be a trademark. Applicant requests that objections relating to the format of certain trademarks be withdrawn in view of the current amendments to the specification.

### **IV. Rejection Under 35 U.S.C. § 112, First Paragraph – Written Description**

Claims 7-9 and 12-14 are rejected under 35 U.S.C. § 112, first paragraph for allegedly failing to comply with the written description requirement. Applicant respectfully traverses because the claims are described in the specification in such a way as to reasonably convey to one skilled in the art that the inventors, at the time the application was filed, had possession of

the claimed invention. However, in order to expedite prosecution, without acquiescing to the Examiner rejection, Applicants have opted to amend the claims to limit the proteins to BMP-7 and BMP-14.

Withdrawal of this rejection is respectfully requested in view of the current amendments.

**V. Rejection Under 35 U.S.C. § 112, First Paragraph – Enablement**

Claims 7-9 and 12-14 are rejected under 35 U.S.C. § 112, first paragraph as allegedly failing to comply with the enablement requirement. Applicant respectfully traverses because the specification clearly teaches how to make and use the claimed invention without undue experimentation.

According to MPEP 2164.02, compliance with the enablement requirement of 35 U.S.C. § 112, first paragraph, requires that the information contained in the disclosure of an application must be sufficient to inform those skilled in the relevant art how to both make and use the claimed invention. Detailed procedures for making and using the invention may not be necessary if the description of the invention itself is sufficient to permit those skilled in the art to make and use the invention without undue experimentation.

Claims 7 and 12 are directed to methods of reducing the immunogenicity or allergenicity of BMP-7 or BMP-14 by modifying a T-cell epitope of the bone morphogenetic protein to produce a variant protein, where the amino acid sequence of the T-cell epitope is selected from the group consisting of SEQ ID NO:1-8. The specification provides ample guidance on how to modify the amino acid sequences of the T-cell epitopes (See, for example, paragraphs [0072], [0073]). Methods of modifying amino acid sequences are also well known in the art. The specification also provides ample support on how to test the variant proteins for immunogenicity or allergenicity (See, for example, paragraphs [0123]-[0127] and Examples). Furthermore, there would be no undue burden for the skilled person to make and test variants. This would require merely minor adaptations of the teaching found in Examples of the present application to screen a finite number of variants.

The claimed invention is described in the specification in such a way as to enable one skilled in the art to make and/or use the invention. Withdrawal of this rejection is respectfully requested.

**VI. Rejection Under 35 U.S.C. § 112, Second Paragraph**

Claims 7-10 and 12-15 are rejected under 35 U.S.C. § 112, first paragraph. Applicants respectfully traverse but in order to expedite prosecution, without acquiescing to Examiner's rejection, Applicant has opted to amend the claims per Examiner's suggestion. Withdrawal of this rejection is respectfully requested in view of the current claim amendments.

**CONCLUSION**

Applicant believes the present application is in condition for allowance. If a telephone conference would expedite allowance of this application, the Examiner is invited to telephone the undersigned at (650) 846-7639. The Commissioner is authorized to charge any fees that may be required in connection with this submission and to credit any overpayments to Deposit Account No. 07-1048 (Docket No. GC818-US).

Respectfully submitted,

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